

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

GINA N. NUNEZ,

Defendant.

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Case No. 21-03091-01-CR-S-MDH

ORDER

Pursuant to governing law and in accordance with Local Rule 72.1 of the United States District Court for the Western District of Missouri, Defendant's request for a competency examination and determination of mental competency (Doc. 20) was referred to the United States Magistrate Judge for preliminary review under § 636(b), Title 28, United States Code. The Magistrate Judge ordered that Defendant undergo a psychiatric examination. After reviewing the psychiatric report and conducting a competency hearing, the Magistrate Judge submitted a report and recommendation to the undersigned (Doc. 29). Neither party filed exceptions to the report and recommendation and the time to do so has expired. As such, the report and recommendation is ripe for ruling.

After careful review of the files and records, the Court adopts the findings and recommendations of the United States Magistrate Judge. The sole unopposed expert opinion in this case establishes by a preponderance of the evidence that Defendant is not presently suffering from a mental disease or defect that would render her unable to understand the nature and consequences of the proceedings against her or to assist properly in her defense.

It is **THEREFORE ORDERED** that the report and recommendation of the United States Magistrate Judge (Doc. 198) is **ADOPTED**.

IT IS FURTHER ORDERED that Defendant is declared competent to stand trial pursuant to 18 U.S.C. § 4241.

IT IS SO ORDERED.

Dated: January 4, 2022

/s/ Douglas Harpool

**DOUGLAS HARPOOL
UNITED STATES DISTRICT JUDGE**